

03-15-01

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03/14/01

U.S. PTO

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new non-provisional applications under 37 CFR 1.53(b))

Atty. Docket No.	GP068-05.CN3	Total Pages	186
First Named Inventor or Application Identifier			
BECKER et al. "Modified Oligonucleotides and Methods for Determining the Presence of a Nucleic Acid Analyte in a Sample"			
Filed: March 14, 2001		Examiner: To Be Assigned	
Express Mail Label No.		EL612500464US	

U.S. PTO

09/808558

03/14/01


☒ Continuation    ☐ Divisional    ☐ Continuation-In-Part (CIP) of prior application No.: 09/565,427

PAPERS BEING SUBMITTED		DESCRIPTION/COMMENTS	Total Pages
1. <input checked="" type="checkbox"/>	FEE TRANSMITTAL SHEET (IN DUPLICATE)	*See Claims fee statement below.	2
2. <input checked="" type="checkbox"/>	TRUE COPY OF PRIOR SPECIFICATION	Description (72 pgs.); Sequence Listing (2 pgs.); Claims ( 83 pgs.) and Abstract (1 pg.)	158
3. <input checked="" type="checkbox"/>	TRUE COPY OF DRAWINGS/FIGURES		9
4. <input checked="" type="checkbox"/>	TRUE COPY OF COMBINED DECLARATION AND POWER OF ATTORNEY		2
5. <input checked="" type="checkbox"/>	STATEMENT PURSUANT TO §§1.821(e)&(f)		2
6. <input checked="" type="checkbox"/>	PRELIMINARY AMENDMENT	Substitute pages of Sequence Listing (2 pgs.)	12
7. <input checked="" type="checkbox"/>	RETURN/PRE-PAID POSTCARD		1
PAPERS RELATING TO THIS FILING BUT NOT SUBMITTED HERewith		(IN PRIOR APPLICATION)	
8. <input checked="" type="checkbox"/>	SEQUENCE LISTING - DISKETTE	Prior App. S.N. 08/893,300	---
9. <input checked="" type="checkbox"/>	ASSIGNMENT -REEL 9040/FRAME 0834	Prior App. S.N. 08/893,300	---

☒ **Preliminary Amendment:** Please see Preliminary Amendment filed herewith canceling claims 1-421 and adding claims 422-463.

☒ **\*Claims Fee Calculation:** Please base claims fee calculation on the number of claims remaining (42) after Preliminary Amendment filed herewith.

☒ **Charge Statement:** The Commissioner for Patents is hereby authorized to charge any amounts due, or credit any over-payments, connected with the filing or prosecution of this application to Deposit Account No. 07-0835.

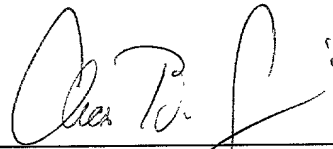
CORRESPONDENCE ADDRESS	
<input checked="" type="checkbox"/> CUSTOMER NUMBER OR BAR CODE LABEL	 <b>21365</b> PATENT TRADEMARK OFFICE
<input checked="" type="checkbox"/> PLEASE ADDRESS ALL FUTURE CORRESPONDENCE RELATING TO THIS APPLICATION TO:	
CHARLES B. CAPPELLARI PATENT DEPARTMENT GEN-PROBE INCORPORATED 10210 GENETIC CENTER DRIVE, SAN DIEGO, CA 92121-4362 (858)410-8927 - TEL. / (858)410-8928 - FAX.	

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <i>(Only for new non-provisional applications under 37 CFR 1.53(b))</i>	Atty. Docket No.	GP068-05.CN3	
	First Named Inventor or Application Identifier		
	BECKER et al.	"Modified Oligonucleotides and Methods for Determining the Presence of a Nucleic Acid Analyte in a Sample "	
	Filed: March 14, 2001	Examiner: To Be Assigned	
	Express Mail Label No.	EL612500464US	
<b>[X] Continuation of prior application No.: 09/565,427</b>			

**Certificate of Mailing**

I hereby certify that the enclosed application papers comprise a true copy of prior application Serial No. 09/565,427, filed May 5, 2000, and are being deposited on the date indicated below with the U.S. Postal Service as Express Mail No. **EL612500464US** addressed to Box Patent Application, Commissioner for Patents, Washington, D.C. 20231

Respectfully submitted,



By: Charles B. Cappellari,  
Registration No. 40,937  
Attorney for Applicants

Date: March 14, 2001

GEN-PROBE INCORPORATED  
10210 Genetic Center Drive  
San Diego, CA 92121-4362  
Phone: (858) 410-8927  
Fax: (858) 410-8928

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ ) 1,106.00

## Complete if Known

Application Number	CON of Ser. No. 09/565,427
Filing Date	March 14, 2001
First Named Inventor	BECKER et al.
Examiner Name	To Be Assigned
Group Art Unit	To Be Assigned
Attorney Docket No.	GP068-05.CN3

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 07-0835

Deposit Account Name Gen-Probe Incorporated

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	710.00
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$ ) 710.00

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
42	-20** = 22	X 18	= 396.00
Independent Claims	2	-3** = -0-	= -0-
Multiple Dependent		--	= -0-

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ ) 396.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) -0-

## SUBMITTED BY

Name (Print/Type)	Charles B. Cappellari	Registration No. (Attorney/Agent)	40,937	Telephone	(858) 410-8927
Signature		Date	March 14, 2001		

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.